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May 25, 2011

VIA ECF

Honorable Roanne L. Mann
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Kosher Sports Inc. v. Queens Ballpark Company, LLC* (No. 10-cv-2618)

Dear Judge Mann:

As counsel for defendant Queens Ballpark Company, LLC ("QBC") in the above-referenced matter, we write to respectfully request an adjournment of the June 1, 2011 evidentiary hearing on plaintiff's motion for contempt for 30 days, or to such other time as is convenient for the Court, in order to permit the parties to complete discovery relevant to the issues raised in plaintiff's motion, including depositions of the witnesses likely to testify at the hearing. As it stands now, only two of the four witnesses the parties plan to call at the hearing (Jonathan Katz and Mike Landeen) have been deposed. Due to scheduling conflicts, the other potential witnesses, Paul Schwartz and Scott Kleckner, are scheduled to be deposed sometime after June 1st. Additionally, it is our understanding that plaintiff is still seeking third-party discovery from Aramark that is potentially relevant to the issues to be addressed at the hearing. Counsel for KSI has consented to our request for an adjournment, but does not otherwise consent to the procedure outlined below.

In an effort to avoid unnecessarily burdening the potential witnesses by forcing them to submit to an additional day of testimony (where they will likely be asked questions they have already answered at length during their depositions), and in the interest of judicial economy, we further request that the parties be allowed to submit written submissions in advance of the hearing addressing the evidence elicited during discovery, including all relevant deposition testimony for the Court's review. This will give the Court an opportunity to appropriately narrow the scope of the hearing to address only those issues left unresolved by the witnesses' prior testimony.

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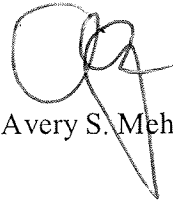
HE 6500134 v. 1 #17684/0007

H E R R I C K

Honorable Roanne L. Mann
May 25, 2011
Page 2

We are available to more fully address these matters with the Court at its convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Avery S. Mehlman', written over a circular stamp or seal.

Avery S. Mehlman

AM:mw

cc: Ira Daniel Tokayer, Esq.
Kevin M. Brennan, Esq.